

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

<p>AVI KOSCHITZKI, On Behalf Of Himself and all Others Similarly Situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>APPLE, INC. and AT&amp;T MOBILITY LLC</p> <p style="text-align: center;">Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Civil Action No. 08 Civ. 4451 (JBW) (VVP)</p>
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**NOTICE OF FILING OF MOTION OF  
AT&T MOBILITY LLC FOR § 1407 TRANSFER OF ACTIONS**

TO THE CLERK OF THIS COURT AND TO ALL PARTIES AND THEIR  
COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on March 5, 2009, pursuant to 28 U.S.C. § 1407, AT&T Mobility LLC submitted for filing with the Judicial Panel on Multidistrict Litigation a motion for transfer and consolidation of this action and eleven similar actions, styled *In re iPhone 3G Marketing Litigation*. Copies of the motion and supporting documents are attached as Exhibits.

Defendant AT&T Mobility LLC files this Notice pursuant to Rule 5.12(c) of the Rules of the Judicial Panel in order to notify the Court of the pendency of the proceedings before the Panel. AT&T Mobility LLC will keep the Court informed of further developments.

Dated: March 5, 2009

Respectfully submitted,

/s/ Kathleen Taylor Sooy

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